

## Agricultural Marketing Service, USDA

## § 29.1122

comply with the specifications of the grade previously assigned, it shall not thereafter be represented as such grade.

### § 29.1112 Rule 6.

A lot of tobacco on the marginal line between two colors shall be placed in the color with which it best corresponds with respect to body or other associated elements of quality.

### § 29.1113 Rule 7.

Any lot of tobacco which meets the specifications of two grades shall be placed in the higher grade. Any lot of tobacco on the marginal line between two grades shall be placed in the lower grade.

### § 29.1114 Rule 8.

A lot of tobacco meets the specifications of a grade when it is not lower in any degree of any element of quality than the minimum specifications of such grade.

### § 29.1115 Rule 9.

The use of any grade may be restricted by the Director during any marketing season when it is found that the grade is not needed or appears in insufficient volume to justify its use.

### § 29.1116 Rule 10.

Any special factor approved by the Director of the Tobacco Division, Agricultural Marketing Service, may be used to show a peculiar side or characteristic of the tobacco which tends to modify the grade.

[42 FR 21092, Apr. 25, 1977, as amended at 49 FR 16756, Apr. 20, 1984]

### § 29.1117 Rule 11.

Interpretations, the use of specifications, and the meaning of terms shall be in accordance with determinations or clarifications made by the Chief of the Marketing Programs Branch and approved by the Director.

### § 29.1118 Rule 12.

In determining the grade of a lot of tobacco, the lot as a whole shall be considered. Minor irregularities which do not affect over one percent of the tobacco shall be overlooked.

### § 29.1119 Rule 13.

Degrees of uniformity shall be expressed in terms of percentages. The percentages shall govern the portion of a lot which must meet the specifications of the grade. (These percentages shall not affect limitations established by other rules.) The minor portion must be closely related, but may be of a different group, quality, and color from the major portion.

### § 29.1120 Rule 14.

The application of injury tolerance as an element of quality shall be expressed in terms of a percentage. The appraisal of injury shall be based upon the percentage of affected leaf surface or the degree of injury. In appraising injury, consideration shall be given to the normal characteristics of the group as related to injury.

### § 29.1121 Rule 15.

Any lot of tobacco containing 20 percent or more of variegated tobacco other than variegated red or scorched shall be described as variegated and designated by the color symbol "K," "KL," "KF," "KD," or "KV."

[42 FR 21092, Apr. 25, 1977, as amended at 48 FR 29671, June 28, 1983]

### § 29.1122 Rule 16.

Any lot of ripe tobacco which contains 20 percent or more of variegated red or scorched tobacco shall be designated by the color symbol "KR." Any lot of unripe tobacco which is under 20 percent greenish or green but which contains 20 percent or more of scorched tobacco, or any lot of tobacco which contains 20 percent or more of a color distinctly different from the major color shall be classified as mixed color and designated by the color symbol "KM". Any lot of unripe tobacco in the C, or B groups which is under 20 percent greenish or green but which contains 50 percent or more of scorched tobacco shall be classified as excessively scorched and designated by the combination symbol "KK".

[42 FR 21092, Apr. 25, 1977, as amended at 51 FR 25028, July 10, 1986]